

REMARKS

Claims 1-35 are pending in the present application. Reconsideration in view of the following remarks and amendments is requested.

I. Rejection of Claims 1-7 and 35 Under 35 U.S.C. § 112, Second Paragraph

Claims 1-7 and 35 were rejected under 35 U.S.C. § 112, second paragraph as allegedly being indefinite. Claims 1 and 35 have been amended to address this rejection.

II. Rejection of Claims 1-9, 11-30, and 32-34 Under 35 U.S.C. § 102(b)

Claims 1-9, 11-30, and 32-34 were rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 3,643,524 to Herring (Herring). Applicants traverse this rejection and request that it be withdrawn.

Claims 1-7:

Claim 1 is allowable because Herring neither teaches nor suggests a foot pedal assembly comprising an arm member having a first end portion pivotally coupled to a pedal and *extending downwardly* from the pedal, and which is coupled to a base so as to be movable relative to the base when the pedal is pivoted toward and away from the base between a depressed position and an idle position, respectively, as recited in claim 1.

The Examiner contends that Herring's lever 66 is the same as the arm member of claim 1. As clearly shown in FIG. 2 of Herring, lever 66 extends in a generally upward direction from the bottom surface of pedal 60. Unlike the device of claim 1, lever 66 does not extend downwardly from the pedal 60. Accordingly, Applicants device as set out in claim 1 is not anticipated by Herring and is allowable.

Claims 2-7 depend from claim 1 and are allowable for the reasons given above in support of claim 1 and because each dependent claim sets forth an independently patentable combination of features.

For example, Herring neither teaches nor suggests at least one roller rotatably mounted to the arm member and positioned for rolling contact along the base when the pedal is pivoted toward and away from the base, as recited in claim 3. The Examiner contends that Herring's stud 64 is the same as the roller in the device of claim 1. This contention is incorrect. The stud 64 of the Herring device is understood to mount lever 66 to a carrier member 58 in a pivotal manner. As shown in FIGS. 1 and 2 of Herring, stud 64 (which extends through lever 66 and carrier member 58) remains at a fixed position relative to lever 66 and 58, and therefore does not roll along the carrier member 58 or lever 66. Thus, there is no "roller being positioned for rolling contact along the base when the pedal is pivoted toward and away from the base," as required by claim 3.

Also, Herring neither teaches nor suggests a base portion having an upper end portion that is pivotally coupled to an adjustment mechanism to permit pivoting of the base toward and away from the floor of the vehicle, as recited in claim 4. In referring to the Herring device, the Examiner contends that "[t]he upper end portion of the base [carrier member 58] is pivotally coupled to the adjustment mechanism about the axis of the screw [screw 52]." This contention is incorrect. In the Herring device, the upper end portion 60 of the base (carrier member 58) is mounted for linear movement along the axis of screw 52. As Herring is presently understood, there is no disclosure in Herring for pivoting the upper end portion of carrier member 58 with respect to screw 52, as required by claim 4. If the Examiner disagrees, Applicants request the

Examiner to cite the specific portion of Herring that discloses such movement of carrier member 58.

In addition, Herring neither teaches nor suggests a biasing mechanism operatively connected to the adjustment mechanism and the upper end portion of the base and configured to bias the base toward the floor of the vehicle, as recited in claim 5. The Examiner contends that Herring's pin 76 is the same as the biasing mechanism of claim 5. This contention is incorrect. As shown in FIG. 1 of Herring, pin 76 extends through a slot 77 in the carrier member 58 and is connected to one end of a lever 78. As the carrier member 58 is moved to the left from the position shown in FIG. 2, pin 76 translates upwardly in slot 77. See col. 4, lines 61-64 of Herring. As Herring is presently understood, Herring's pin 76 fails to bias or otherwise cause movement of the carrier member 58 in any direction.

Claim 6 is independently patentable because Herring neither teaches nor suggests at least one roller which is rotatably coupled to the lower end portion of the base and positioned for supporting the base on the floor of the vehicle or a rub pad placed on the floor. The Examiner contends that Herring's shaft 59 comprises "rolling means, rotatably mounted to the lower segment of the pedal support portion." Applicants disagree that Herring's shaft 59 is the same as the roller of claim 6. Herring's shaft, or pin, 59 pivotally supports pedal 60 to the lower end of the carrier member 58. As shown in FIG. 2 of Herring, the lower end of carrier member 58 rests on the vehicle floor and shaft 59 is spaced from the floor of the vehicle. There is no disclosure in Herring that shaft 59 serves as a roller or as a support for supporting the carrier member 58 on the floor or a rub pad on the floor.

Claims 8, 9, 11 and 12:

Claim 8 is allowable because Herring neither teaches nor suggests a foot pedal assembly comprising a pedal position mover, which is configured to selectively vary the fore and aft position of a pedal support portion, and thereby a pedal, relative to the wall of the vehicle, and which is vertically adjustable along the wall, wherein vertical adjustment of the pedal position mover can be made independently of any fore-aft adjustment of the pedal support portion and the pedal, as recited in claim 8.

The Examiner contends that the “assembly of Herring allows adjustment of elevation by rotation about bolt 12.” This contention is incorrect. As shown in FIG. 1 of Herring, bracket 38, which carries the carrier member 58 to which the pedal 60 is mounted, is understood to be secured to the support shaft 12 and to the side of the support structure 10 by bolt 44. See col. 2, lines 49-55 of Herring. The connection at bolt 44 would prevent rotation of the carrier member 58 and the pedal 60 about bolt 12. Therefore, vertical adjustment of a pedal position mover which couples a pedal support position to a wall, as required by claim 8, is not present in Herring.

Claims 9, 11, and 12 depend from claim 8 and are allowable for the reasons given above in support of claim 8 and because each dependent claim sets forth an independently patentable combination of features. For example, Herring neither teaches nor suggests a pedal support portion comprising an upper end portion pivotally coupled to the pedal position mover to permit pivoting of the pedal support portion toward and away from the floor of the vehicle (claim 11) or a biasing element for urging the pedal support portion toward the floor of the vehicle (claim 12).

Claims 13-17:

Claim 13 recites a foot pedal assembly comprising a segmented pedal support portion having a first upper segment and a second lower segment. The upper segment is pivotally coupled to the lower segment to permit pivoting of the lower segment relative to the floor of the vehicle. A fore-aft position adjuster carries the upper segment of the pedal support portion and is configured to be mounted to the wall of the vehicle. The fore-aft position adjuster is configured to selectively vary the fore and aft position of the pedal support portion, and thereby the pedal, relative to the wall of the vehicle. Herring neither teaches nor suggests such a device.

The Examiner contends that Herring's carrier member 58 is the same as the claimed pedal support portion in that it has an upper segment 78 that is pivotable with respect to a lower segment. However, Herring's carrier member 58 and/or "upper segment" 78 are not the same as the claimed pedal support portion for the following reasons. First, the lower segment of carrier member 58 does not pivot relative to the floor, as recited in claim 13. As noted above, carrier member 58 moves linearly with respect to the floor. See col. 3, lines 41-51 of Herring. Second, as shown in FIG. 2 in Herring, the upper end of upper segment 78 is secured to support 10 by bolt 79. Thus, unlike the pedal support portion of claim 13, Herring's upper segment 78 is not carried by a position adjuster.

Claims 14-17 depend from claim 13 and are allowable for the reasons given above in support of claim 13 and because each dependent claim sets forth an independently patentable combination of features. For example, Herring neither teaches nor suggests a fore-aft position adjuster configured to be vertically adjustable along the wall to selectively vary the elevation of the upper segment of the pedal support portion, wherein the elevation of the upper segment of the pedal support portion is independently adjustable of the fore and aft position of the pedal

support portion and the pedal (claim 14); a biasing element interposed between the upper segment and the lower segment of the pedal support portion to urge the lower segment of the pedal support portion toward the floor of the vehicle (claim 15); or a rub pad for placement on the floor of the vehicle and a shaft rotatably mounted to the lower segment of the pedal support portion, the shaft being positioned for rolling contact on the rub pad when the fore-aft position adjuster is activated to adjust the position of the pedal support portion and pedal fore and aft relative to the vehicle wall (claim 17).

Claims 18-21:

Claim 18 is allowable because Herring neither teaches nor suggests a pedal assembly comprising a pedal support portion having an upper end portion configured to be mounted for vertical movement along the wall of the vehicle to permit adjustment of the vertical position of the upper end portion of the pedal support portion, as recited in claim 18.

Claims 19-21 depend from claim 18 and are allowable for the reasons given above in support of claim 18 and because each dependent claim sets forth an independently patentable combination of features. In addition, claims 20 and 21 are also allowable because of the unique and unobvious combination of elements recited in each claim and their intervening parent claim 19.

For example, claim 19 is independently patentable because Herring neither teaches nor suggests a pedal assembly comprising a mounting bracket coupled to the upper end portion of the pedal support portion and configured to be slidably mounted to the vehicle wall, as recited in claim 19.

As an added example, claim 20 has been amended to recite a mounting bracket defining at least one *vertically elongated* slot for receiving a releasable fastener, with the slot being

dimensioned to permit sliding of the mounting bracket relative to the fastener when the fastener is released from securing the mounting bracket against the wall. The Examiner contends that Herring's mounting bracket 40 is the same as the claimed mounting bracket. However, as shown in FIG. 2 of Herring, bracket 40 does not have a vertically elongated slot.

Claims 22-24:

Claim 22 is allowable because Herring neither teaches nor suggests a pedal assembly comprising roller means mounted to the pedal support means and positioned for rolling contact with a pedal assembly support surface when an adjustment means is activated to adjust the position of the pedal support means toward and away from the vehicle wall, as recited in claim 22.

As noted above, the Examiner contends that Herring's shaft 59 comprises "rolling means, rotatably mounted to the lower segment of the pedal support portion." This contention is incorrect. Herring's shaft 59 is understood to be merely a pivot pin that extends through the pedal 60 and the carrier member 58 to pivotally mount the pedal 60 to the carrier member 58. The shaft 59 does not even contact the vehicle floor or other support surface (the bottom end of the carrier member 58 rests on the vehicle floor, as shown in FIG. 2 of Herring), let alone being in rolling contact therewith.

Claims 23 and 24 depend from claim 22 and are allowable for the reasons given above in support of claim 22 and because each dependent claim sets forth an independently patentable combination of features. For example, Herring neither teaches nor suggests a rub pad placed on the floor of the vehicle in a position to engage the roller means, as recited in claim 23.

Claims 25-29:

Claim 25 is allowable because Herring neither teaches nor suggests a support for supporting a foot pedal comprising a vertical upper end portion for extending generally parallel to a vehicle wall, a horizontal lower end portion for extending generally parallel to the vehicle floor, and an angled intermediate portion extending between the upper end portion and the lower end portion, as recited in claim 25.

The Examiner contends that the carrier member 58 of Herring has “a vertical upper end, an angled intermediate portion 78, and a horizontal lower end portion, at spring 62, generally parallel to the floor.” Applicants disagree that Herring’s carrier member 58 is the same as the support of claim 25 for the following reasons. First, Herring’s intermediate portion 78 does not extend between an upper portion and lower portion of the carrier member 58. As clearly shown in FIG. 2, intermediate portion 78 extends between one location on the carrier member 58 and the support structure 10. Second, as shown in FIG. 2, the lower portion of carrier member 58 extends at about a 45° angle with respect to the vehicle floor.

Claims 26-29 depend from claim 25 and are allowable for the reasons given above in support of claim 25 and because each dependent claim sets forth an independently patentable combination of features.

For example, Herring neither teaches nor suggests a support having an upper end portion that is pivotally coupled to the intermediate portion so that the intermediate portion and the lower end portion can pivot toward and away from the floor (as recited in amended claim 26) or a biasing element coupling the upper end portion and the intermediate portion, with the biasing element urging the intermediate portion and the lower end portion toward the floor (as recited in claim 27).

Claims 30 and 32-34:

Claim 30 is allowable because Herring neither teaches nor suggests a method for adjusting the position of a foot pedal comprising adjusting the elevation of the support above the floor of the vehicle in a generally vertical direction and adjusting the fore-aft position of the support relative to the wall of the vehicle in a generally horizontal direction independently of adjusting the elevation of the support. As discussed above, the Herring device cannot be rotated about bolt 12 for adjusting the vertical position of the pedal 60.

Claims 32-34 depend from claim 30 and are allowable for the reasons given above in support of claim 30 and because each dependent claim sets forth an independently patentable combination of features.

III. Rejection of Claims 10 and 35 Under 35 U.S.C. § 103(a)

Claims 10 and 35 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Herring in view of U.S. Patent No. 2,382,918 to Rubissow (Rubissow) and U.S. Patent No. 6,019,015 to Elton (Elton). Applicants traverse this rejection and request that it be withdrawn.

Claim 10 depends from claim 8 and is allowable for the reasons given above in support of claim 8 and because claim 10 sets forth an independently patentable combination of features.

Claim 35 is allowable because neither Herring, Rubissow, nor Elton (either alone or in combination) are understood to teach or suggest at least the following features of claim 35: (1) a lever arm having first and second ends and ***extending generally downwardly*** from a lower surface of a pedal, with the second end movably engaging a base so as to be ***movable along an upper surface of the base***; (2) a rotatable screw and a carrier bracket threadably engaging the

screw, with the upper end portion of the base being pivotally coupled to the carrier bracket to permit *pivoting of the base relative to the carrier bracket* and toward and away from a bottom surface of the vehicle; or (3) a biasing mechanism carried by the carrier bracket to urge the base toward the bottom surface of the vehicle.

IV. Rejection of Claim 31 Under 35 U.S.C. § 103(a)

Claim 31 was rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Herring in view of U.S. Patent No. 3,181,666 to Dow (Dow). Applicants traverse this rejection and request that it be withdrawn.

Claim 31 depends from claim 30 and is allowable for the reasons given above in support of claim 30 and because claim 31 sets forth an independently patentable combination of features. Claim 31 is independently patentable, for example, because neither Herring nor Dow (either alone or in combination) teaches or suggests adjusting the elevation of a foot pedal support above of the floor of a vehicle in a generally vertical direction while maintaining the fore-aft position of the support, as recited in claim 31.

The Examiner contends that “Dow discloses that it is known in the art to provide a slotted groove 17 with a bolt to adjustably mount an accelerator pedal adjustment member. It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the slot of Herring at bolt 12 with the vertical elongation of Dow, in order to allow a greater range of adjustability in the positioning of the pedal assembly in case of wear and potential elongation of the pedal support 58.” There is no reason to put a slot at bolt 12 in Herring because bolt 44 of Herring prevents vertical adjustment of the Herring assembly. Therefore, these references would not be combined. Therefore, claim 31 is allowable.

Dow is understood to disclose an accelerator controlling device (i.e., a cruise control device) comprising a base 16, which is adapted to be secured to the floor of the vehicle by bolts extending through openings 17 (FIG. 3 of Dow). An arm 18, which is pivotally attached to the base 16, engages the accelerator pedal 10 to maintain the pedal in a pre-set position to maintain a desired pre-set speed of the vehicle. The Dow device does not adjust the vertical or fore-aft position of the pedal 10. Further, openings 17 extend laterally with respect to the pedal 10 (see FIG. 3). Thus, openings 17 do not even permit adjustment of the base 16 in a vertically direction. At best, the combination of Herring and Dow would suggest using a slotted opening for some purpose other than vertical adjustment of a foot pedal support.

For the foregoing reasons, the method as set out in claim 31 is not anticipated or rendered obvious by Herring or Dow (either alone or in combination), and is allowable.


V. Conclusion

The present application is in condition for allowance and such action is respectfully requested. If any further issues remain concerning this application, the Examiner is invited to call the undersigned to discuss such matters.

Respectfully submitted,

KLARQUIST SPARKMAN, LLP

By



Jeffrey B. Haendler
Registration No. 43,652

One World Trade Center, Suite 1600
121 S.W. Salmon Street
Portland, Oregon 97204
Telephone: (503) 226-7391
Facsimile: (503) 228-9446



Marked-up Version of Amended Claims
Pursuant to Revised 37 C.F.R. §§ 1.121(b)-(c)

- Sub B, 7*
1. (Currently Amended) An adjustable foot pedal assembly for a vehicle having a driver compartment comprising a wall and a floor, the pedal assembly comprising:
- a base having upper and lower end portions;
 - a pedal having an upper major foot engageable surface, the pedal being pivotally coupled to the lower end portion of the base;
 - an arm member having a first end portion pivotally coupled to the pedal and extending downwardly from the pedal, the arm member being coupled to the base so as to be movable relative to the base when the pedal is pivoted toward and away from the base between a depressed position and an idle position, respectively; and
 - an adjustment mechanism for coupling the upper end portion of the base to the wall of the vehicle, the adjustment mechanism being configured to selectively vary the fore-aft position of the base and the pedal from the wall of the vehicle.
- OK*
2. (Original) The pedal assembly of claim 1, wherein the adjustment mechanism comprises a rotatable screw configured to be mounted to the wall of the vehicle and a carrier bracket threadably engaging the screw and coupled to the upper end portion of the base, wherein rotation of the screw in a first direction causes the carrier bracket to move the base and the pedal away from the wall and rotation of the screw in a second direction causes the carrier bracket to move the base and the pedal toward the wall.

3. (Original) The pedal assembly of claim 1, comprising at least one roller rotatably mounted to the arm member, the roller being positioned for rolling contact along the base when the pedal is pivoted toward and away from the base, the roller coupling the arm member to the base.

B/ 4. (Currently Amended) The pedal assembly of claim 1, wherein the upper end portion of the base is pivotally coupled to the adjustment mechanism to permit pivoting of the base toward and away from the floor of the vehicle.

5. (Original) The pedal assembly of claim 4, further comprising a biasing mechanism operatively connected to the adjustment mechanism and the upper end portion of the base, the biasing mechanism being configured to bias the base toward the floor of the vehicle.

6. (Original) The pedal assembly of claim 1, comprising at least one roller which is rotatably coupled to the lower end portion of the base and positioned for supporting the base on the floor of the vehicle or a rub pad placed on the floor.

7. (Original) The pedal assembly of claim 1, wherein the adjustment mechanism is configured to be mounted to the vehicle wall, the adjustment mechanism being vertically adjustable with respect to the wall.

8. (Original) An adjustable foot pedal assembly for a vehicle having a driver compartment comprising a wall and a floor, the pedal assembly comprising:

a foot pedal having an upper major foot engageable surface and an opposing lower major surface;

a pedal support portion, the pedal carried by the pedal support portion; and

a pedal position mover for coupling the pedal support portion to the wall of the vehicle, the pedal position mover being configured to selectively vary the fore and aft position of the pedal support portion, and thereby the pedal, relative to the wall of the vehicle, the pedal position mover being vertically adjustable along the wall, wherein vertical adjustment of the pedal position mover can be made independently of any fore-aft adjustment of the pedal support portion and the pedal.

B
Cont'd

9. (Original) The foot pedal assembly of claim 8, wherein the pedal support portion has upper and lower end portions and the pedal has upper and lower end portions, the lower end portion of the pedal being pivotally coupled to the lower end portion of the pedal support portion, and the pedal assembly further comprising a pivot support member having a first end portion and a second end portion, the first end portion of the pivot support member being pivotally coupled to the pedal and extending from the lower major surface of the pedal, the second end portion of the pivot support member being positioned to move relative to the pedal support portion upon pivoting of the pedal toward and away from the pedal support portion between a depressed position and an idle position, respectively, and a biasing element interposed between the pedal and pedal support portion to urge the pedal toward the idle position.

10. (Original) The pedal assembly of claim 9, comprising at least one roller rotatably coupled to the lower end portion of the pedal support portion, the roller being positioned for

rolling contact with the floor of the vehicle when the pedal position mover is activated to vary the fore-aft position of the pedal support portion.

B, 11. (Original) The pedal assembly of claim 8, wherein the pedal support portion comprises an upper end portion pivotally coupled to the pedal position mover to permit pivoting of the pedal support portion toward and away from the floor of the vehicle.

12. (Original) The pedal assembly of claim 11, further comprising a biasing element for urging the pedal support portion toward the floor of the vehicle.

Contd 13. (Currently Amended) An adjustable foot pedal assembly for a vehicle having a driver compartment comprising a wall and a floor, the pedal assembly comprising:

a segmented pedal support portion having a first upper segment and a second lower segment, the upper segment being pivotally coupled to the lower segment to permit pivoting of the lower segment relative to the floor of the vehicle;

a foot pedal carried by the lower segment of the pedal support portion; and

a fore-aft position adjuster [coupled to] carrying the upper segment of the pedal support portion and configured to be mounted to the wall of the vehicle, the fore-aft position adjuster being configured to selectively vary the fore and aft position of the pedal support portion, and thereby the pedal, relative to the wall of the vehicle.

14. (Original) The pedal assembly of claim 13, wherein the fore-aft position adjuster is configured to be vertically adjustable along the wall to selectively vary the elevation of the

upper segment of the pedal support portion, wherein the elevation of the upper segment of the pedal support portion is independently adjustable of the fore and aft position of the pedal support portion and the pedal.

B₁
15. (Original) The pedal assembly of claim 13, further comprising a biasing element interposed between the upper segment and the lower segment of the pedal support portion to urge the lower segment of the pedal support portion toward the floor of the vehicle.

ax
Cont'd
16. (Original) The pedal assembly of claim 13, wherein the fore-aft position adjuster comprises a rotatable screw for mounting to the wall of the vehicle and the upper segment of the pedal support portion comprises a carrier bracket threadably engaging the screw, wherein rotation of the screw in a first direction causes the carrier bracket to move the pedal support portion and the pedal away from the wall and rotation of the screw in a second direction causes the carrier bracket to move the pedal support portion and the pedal toward the wall.

17. (Currently Amended) The pedal assembly of claim 13, further comprising a rub pad for placement on the floor of the vehicle and a shaft rotatably mounted to the lower segment of the pedal support portion, the shaft being positioned for rolling contact [with] on the rub pad when the fore-aft position adjuster is activated to adjust the position of the pedal support portion and pedal fore and aft relative to the vehicle wall.

18. (Original) An adjustable foot pedal assembly for a vehicle having a driver compartment comprising a wall and a floor, the pedal assembly comprising:

a pedal support portion having an upper end portion and a lower end portion; and
a foot pedal carried by the pedal support portion;
wherein the upper end portion of the pedal support portion is configured to be mounted
for vertical movement along the wall of the vehicle to permit adjustment of the vertical position
of the upper end portion of the pedal support portion.

B,
19. (Original) The pedal assembly of claim 18, further comprising a mounting
bracket coupled to the upper end portion of the pedal support portion, the mounting bracket
being configured to be slidably mounted to the vehicle wall.

20. (Currently Amended) The pedal assembly of claim 19, wherein the mounting
bracket defines [a] at least one vertically [extending] elongated slot for receiving a releasable
fastener, the slot being dimensioned to permit sliding of the mounting bracket relative to the
fastener when the fastener is released from securing the mounting bracket against the wall.

21. (Original) The pedal assembly of claim 19, further comprising a rotatable screw
coupled to and extending outwardly from the mounting bracket and a bracket member threadably
engaging the screw, the bracket member being coupled to the upper end portion of the pedal
support portion, wherein rotation of the screw in a first direction causes the bracket member to
move the pedal support portion and the pedal away from the wall and rotation of the screw in a
second direction causes the bracket member to move the pedal support portion and the pedal
toward the wall.

22. (Currently Amended) An adjustable foot pedal assembly for a vehicle having a driver compartment comprising a wall and a pedal assembly support surface such as a floor or a pad on the floor, the pedal assembly comprising:

pedal support means for engaging the pedal assembly support surface;

a pedal pivotally coupled to the pedal support means [at a position] and extending generally above the pedal support means, the pedal being operable to be pivoted relative to the pedal support means between a depressed position and an idle position;

means for biasing the pedal to the idle position;

adjustment means for adjusting the position of the pedal support means and the pedal toward and away from the wall; and

roller means mounted to the pedal support means and positioned for rolling contact with the [floor of the vehicle] pedal assembly support surface when the adjustment means is activated to adjust the position of the pedal support means toward and away from the wall.

23. (Currently Amended) The pedal assembly of claim 22, further comprising a rub pad [for placement] placed on the floor of the vehicle with an upper surface comprising the pedal assembly support surface and the upper surface being in a position to engage the roller means.

24. (Original) The pedal assembly of claim 22, wherein the adjustment means comprises a jack screw configured for mounting to the vehicle wall and a positioner means threadably engaging the screw and coupled to the pedal support means, wherein rotation of the screw in a first direction causes the positioner means to move the pedal support means and the

pedal away from the wall and rotation of the screw in a second direction causes the positioner means to move the pedal support means and the pedal toward the wall.

25. (Original) A support for supporting a foot pedal in a vehicle driver compartment comprising a wall, a floor and an inclined toe board extending between the wall and the floor, the support comprising:

a vertical upper end portion for extending generally parallel to the wall;
a horizontal lower end portion for extending generally parallel to the floor; and
an angled intermediate portion extending between the upper end portion and the lower end portion.

26. (Currently Amended) The support of claim 25, wherein the upper end portion is pivotally coupled to the intermediate portion so that the intermediate portion and the lower end portion can pivot toward and away from the floor.

27. (Original) The support of claim 26, further comprising a biasing element coupling the upper end portion and the intermediate portion, the biasing element urging the intermediate portion and the lower end portion toward the floor.

28. (Original) The support of claim 25, wherein the vehicle compartment further comprises a rotatable screw extending from the wall and the upper end portion comprises a threaded bracket configured to engage the screw for adjusting the fore-aft position of the support upon rotation of the screw.

29. (Original) The support of claim 26, wherein the vehicle compartment further comprises a rotatable screw extending from the wall and the upper end portion comprises a carrier member configured to threadably engage the screw for adjusting the fore-aft position of the support upon rotation of the screw.

B,
30. (Original) A method for adjusting the position of a foot pedal support in a vehicle driver compartment comprising a wall and a floor, the method comprising:

adjusting the elevation of the support above the floor of the vehicle in a generally vertical direction; and

adjusting the fore-aft position of the support relative to the wall of the vehicle in a generally horizontal direction independently of adjusting the elevation of the support.

31. (Original) The method of claim 30, further comprising adjusting the elevation of the support above the floor of the vehicle in a generally vertical direction while maintaining the fore-aft position of the support relative to the wall.

32. (Original) The method of claim 30, further comprising adjusting the fore-aft position of the support relative to the wall of the vehicle in a generally horizontal direction while maintaining the elevation of the support above the floor.

33. (Original) The method of claim 30, wherein adjusting the elevation of the support above the floor of the vehicle also adjusts the angle of a pedal supported by the support relative to the wall of the vehicle.

34. (Original) The method of claim 30, wherein adjusting the elevation of the support above the floor of the vehicle also adjusts the elevation of a pedal supported by the support.

B₁
35. (Currently Amended) An adjustable foot pedal assembly for a vehicle having a driver compartment comprising a wall and a floor, the pedal assembly comprising:

a base having upper and lower end portions and an upper surface;

a pedal having upper and lower surfaces and upper and lower end portions, the lower end portion of the pedal being pivotally mounted to the lower end portion of the base;

a lever arm having first and second ends, the first end being pivotally mounted on the lower surface of the pedal, the lever arm extending generally downwardly from the lower surface, the second end movably engaging the base so as to be movable along the upper surface of the base, wherein the pedal causes the second end to move relative to the base when the pedal is pivoted toward and away from the base between a depressed position and an idle position, respectively;

a mounting bracket for mounting to [a] the wall [of the vehicle];

a rotatable screw carried by the mounting bracket;

a carrier bracket threadably engaging the screw, the upper end portion of the base being pivotally coupled to the carrier bracket to permit pivoting of the base relative to the carrier

bracket and toward and away from a bottom surface of the vehicle, and wherein the position of the base and pedal relative to the [vehicle] wall is adjustable upon rotation of the screw;

a biasing mechanism carried by the carrier bracket to urge the base toward the bottom surface of the vehicle; and

a roller rotatably mounted to the lower end portion of the base, the roller being positioned for rolling contact on the bottom surface of the vehicle.

A1
Cont'd
B1